

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

DENISE BYRD,)
)
 Plaintiff,)
)
 v.) CASE NO. 3:05-cv-1175-F
)
)
 McKENZIE TANK LINES, INC., et al.,)
)
)
 Defendants.)
)
 _____)

VERIFIED APPLICATION FOR ADMISSION UNDER LOCAL RULE 83.1

COMES NOW Stephen E. O'Day, Applicant herein, and respectfully represents the following:

1. Applicant resides at 950 Poplar Springs Road, Dallas, Georgia 30132; telephone number 770-499-8495; Social Security No. 252-90-5957.
2. Applicant is an attorney and a member of the law firm of Smith, Gambrell & Russell, LLP, with offices at 1230 Peachtree Street, NE, Suite 3100, Promenade II, Atlanta, Georgia 30309-3592; telephone number 404-815-3500.
3. Applicant has been retained personally or as a member of the above-named law firm by Defendants McKenzie Tank Lines, Inc. and Alton James DuPuis to provide legal representation in connection with the above-styled matter now pending before the above-named Court.
4. Since 1979, Applicant has been and presently is a member in good standing of the Bar of the Highest Court of the State of Georgia, where Applicant regularly practices law.

EXHIBIT B

5. Applicant was admitted to practice before the State Bar of Georgia in 1979. Applicant is also a member of the Bar of the United States District Court for the Northern District of Georgia and has been since 1979.

6. Applicant presently is not subject to any disbarment proceedings.
7. Applicant presently is not subject to any suspension proceedings.
8. Applicant has never been subject to any disbarment proceedings.
9. Applicant has never been subject to any suspension proceedings.
10. Applicant has never had any certificate or privilege to appear and practice before any administrative body suspended or revoked.

11. Applicant, either by resignation, withdrawal or otherwise, has never terminated or attempted to terminate Applicant's office as an attorney in order to avoid administrative, disciplinary, disbarment or suspension proceedings.

12. Applicant has not filed an application to appear as counsel in any Court in the State of Alabama in the last three (3) years.

13. Local counsel of record, who is associated with Applicant in this matter, is Richard E. Broughton (BRO043), 2000 Interstate Park Drive, Suite 204, Montgomery, Alabama 36109, telephone (334) 387-7680, facsimile (334) 387-3222.

14. So far as known, the following list accurately states the name and address of each party in this matter, and the name and address of each counsel of record who have appeared for each party:

Name of Party	Mailing Address
Denise Byrd	c/o W. Charles Day, Jr., Esq. 233 12th Street, Suite 100A Post Office Box 1437 Columbus, Georgia 31902-1437

McKenzie Tank Lines, Inc.	c/o Richard E. Broughton, Esq. 2000 Interstate Park Drive, Suite 204 Montgomery Alabama 36109
Alton James DuPuis	c/o Richard E. Broughton, Esq. 2000 Interstate Park Drive, Suite 204 Montgomery, Alabama 36109

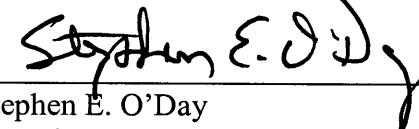
Name of Counsel	Party Represented	Mailing Address
W. Charles Day, Jr., Esq. Berry, Shelnutt, Day & Hoffman, PC	Denise Byrd	233 12th Street, Suite 100A Post Office Box 1437 Columbus, GA 31902-1437
Richard E. Broughton Ball, Ball, Matthews & Novak, PA	McKenzie Tank Lines, Inc.	2000 Interstate Park Drive Suite 204 Montgomery, AL 36109
Richard E. Broughton Ball, Ball, Matthews & Novak, PA	Alton James DuPuis	2000 Interstate Park Drive Suite 204 Montgomery, AL 36109

15. Applicant agrees to comply with the provisions of this Court's Local Rules, the Alabama Rules of Professional Conduct, the Alabama Standards for Imposing Lawyer Discipline, and, to the extent not inconsistent with the preceding, the American Bar Association Model Rules of Professional Conduct. Further, Applicant consents to the jurisdiction of the Courts and the Disciplinary Boards of the State of Alabama.

16. Applicant respectfully requests to be admitted in the above-named Court.

Dated this the 5th day of January, 2006.

Respectfully submitted,



Stephen E. O'Day
Georgia Bar No. 549337

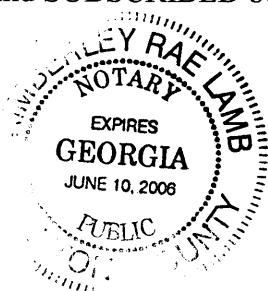
Of Counsel:

Smith, Gambrell & Russell, LLP
Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
(404) 815-3500
(404) 815-3509 – facsimile

State of Georgia)
)
County of Fulton)

PERSONALLY APPEARED before me, the undersigned Notary Public, in and for said County and State, the within named Stephen E. O'Day, who, after first being duly sworn, stated that the information contained in the above and foregoing is true and correct to the best of his knowledge, belief and information.

SWORN TO and SUBSCRIBED before me on this the 5th day of January, 2006.



Kimberly Rae Lamb
Notary Public, State of Georgia
My Commission Expires: 6-10-06

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been served upon all counsel of record by placing a copy of same in the United States Mail, first class postage prepaid and properly addressed as follows on this the 17th day of January, 2006.

W. Charles Day, Jr., Esq.
Berry, Shelnutt, Day & Hoffman, PC
233 12th Street, Suite 100A
Post Office Box 1437
Columbus, Georgia 31902-1437

R. E. Boughner
OF COUNSEL